



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Life Patent Application of

MAERTENS, et al.

Atty. Ref.: 2551-126

Serial No. 09/899,046

Group: 1648

Filed: July 6, 2001

Examiner: WORTMAN

For: NEW SEQUENCE OF HEPATITIS C VIRUS GENOTYPES
AND THEIR USE AS THERAPEUTIC AND DIAGNOSTIC
AGENTS

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 3, 2004

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Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

03/04/2004 JBALINAN 00000117 09899046

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180.00 OP

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

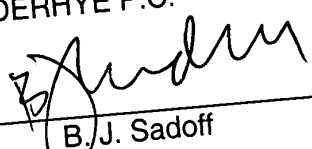
- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- ☐ a) The required Statement made in item 8 below; or
- ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
- ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
- ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
- ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
- ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

MAERTENS, et al.
Serial No. 09/899,046

- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: _____


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INFORMATION DISCLOSURE

CITATION E

(Use several sheets if necessary)

MAR 03 2004

PATENT & TRADEMARK OFFICE

ATTY. DOCKET NO.

2551-126

APPLICANT

MAERTENS, et al.

FILING DATE

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09/899,046

GROUP

1648

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U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | DOCUMENT NUMBER | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|----------------------|-----------------|--------------|----------|----------------|-------|----------|-------------------------------|
| | 114 | 6,548,244 B2 | 04/15/03 | Maertens et al | 435 | 5 | 07/06/2001 |
| | 120 | 5,846,704 | 12/08/98 | Maertens et al | 435 | 5 | 07/18/1994 |
| | 150 | 5,514,539 | 05/07/96 | Bukh et al | 435 | 5 | 06/29/1993 |
| | 151 | 5,882,852 | 03/16/99 | Bukh et al | 435 | 5 | 09/15/1994 |
| | 152 | 5,372,928 | 12/13/94 | Miyamura et al | 435 | 5 | 02/24/1994 |
| | | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | | | TRANSLATION | | | |
|----------|--------------|----------|----------------|-------------|-----|----|--|
| DOCUMENT | DATE | COUNTRY | CLASS | SUBCLASS | YES | NO | |
| 154 | 0 463 848 A2 | 01/02/92 | Europe | | | | |
| 153 | 2 239 245 A | 06/26/91 | United Kingdom | | | | |
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OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

| | |
|-----|--|
| 145 | Kato et al, Molecular Cloning of the Human Hepatitis C Virus Genome from Japanese Patients with non-A, non-B Hepatitis, Proc. Nat'l. Acad. Sci., Vol. 87, pp. 9524-9528, December 1990 |
| 144 | van Doorn, J. Gen Virol, 1995, 76:1871-1876 |
| 143 | Hotta et al, J. Clin Microbiol, 1994 32:3049-3051 |
| 127 | Wallace et al, Methods Enzymology, 1987, Vol. 152, pp 432-443 |
| 125 | Enomoto et al, Biochemical and Biophysical Research Communications, There are Two Major Types of Hepatitis C Virus in Japan, Vol. 170, No. 3, 1990, pp 1021-1025 |
| 124 | Bukh et al, Proc. Natl. Acad. Sci., Sequence Analysis of the 5' Noncoding Region of Hepatitis C Virus, Vol. 89, pp. 4942-4946, June 1992 |
| 91 | Innis et al, PCR Protocols: A Guide to Methods & Applications, Academic Press, 1990, pp 3-12 |
| 92 | George, Current Methods in Sequence Comparison and Analysis; Macromolecular Sequencing & Synthesis, 1998, pp 127-149 |
| 93 | Chen, The Taiwanese Hepatitis C Virus Genome: Sequence Determination and Mapping the 5' Termini of Viral Genomic and Antigenomic RNA ¹ , Virology, 1992 188, pp 102-113 |
| 25 | Innis et al, Optimization of PCRs, Academic Press, Inc. 1990, pp 3-12 |
| 84 | Doorn et al, Analysis of Hepatitis C Virus Genotypes by a Line Probe Assay and Correlation With Antibody Profiles, Journal of Hepatology, 1994; 21: pp 122-129 |
| 148 | Chan, Proc. Natl. Acad. Sci, October 1979, 76, 5036-40 (abstract only) |
| 149 | Majzoub et al, Journal of Biological Chemistry, 1983, Vol. 258:14061-14064 |
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| | |

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)